

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION**

CYNTHIA E. BENNETT WRIGHT,)	CIVIL ACTION NO. 5:12-cv-02284-JMC
)	
Plaintiff,)	
)	
v.)	
)	
CAROLYN W. COLVIN,)	ORDER
ACTING COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	
Defendant.)	
)	

This matter is before the court pursuant to Plaintiff's counsel's Motion for Attorney's Fees under 42 U.S.C. § 406(b)¹ and Local Rule 83.VII.07, D.S.C. (ECF No. 47.) Plaintiff's counsel seeks reimbursement for his representation in the amount of \$24,163.00 from the past-due benefits of Plaintiff and her dependent. (*Id.* at 1.) The attorney's fee requested is 25% of the total of the past-due benefit. The Commissioner did not file specified opposition to Plaintiff's Motion for Fees. (See ECF No. 49.)

The court has reviewed counsel's Motion and finds the request for fees reasonable in accordance with Gisbrecht v. Barnhart, 535 U.S. 789, 796 (2002). Therefore, the court **GRANTS** the Motion and finds that Plaintiff's counsel is entitled to an award of attorney's fees under 42 U.S.C. § 406(b) in the amount of \$24,163.00 amounting to 25% of the past-due benefits of Plaintiff and her dependent. Fees under 42 U.S.C. § 406(b) are paid from Plaintiff's

¹ The statute provides that "[w]henever a court renders a judgment favorable to a claimant under this subchapter who was represented before the court by an attorney, the court may determine and allow as part of its judgment a reasonable fee for such representation, not in excess of 25 percent of the total of the past-due benefits to which the claimant is entitled by reason of such judgment, . . ." 42 U.S.C. § 406(b)(1)(A).

benefits and those of her dependent, rather than from agency funds, based on a contract between Plaintiff and her attorney.

IT IS SO ORDERED.



United States District Judge

October 13, 2015
Columbia, South Carolina